REMARKS / ARGUMENTS

I. General Remarks

Applicants respectfully request that the above amendments be entered and further request reconsideration of the application in view of the following remarks. Applicants thank the Examiner for his careful consideration of this application, including the references Applicants have submitted.

II. Disposition of Claims

At the time of the Office Action, claims 77-88, 107-112, and 187-203 were pending. Claims 204-220 are new. Claims 80, 88, 189, and 197 have been canceled. Claims 77, 79, 81-88, 187, and 190-197 have been amended herein.

Applicants respectfully submit that these amendments add no new matter to the application and are supported by the specification as originally filed. Support for the term "uncrosslinked" recited in claims 77, 81-83, 187, and 190-192 can be found at least in paragraphs [0021], [0026], [0041], and [0046] of the specification, which recite that the hydrophobically modified water-soluble polymers may be reaction products of a hydrophilic polymer and a hydrophobic compound. A person of ordinary skill in the art would know that these reaction products produce uncrosslinked polymers. Thus, support for the term "uncrosslinked" is provided for in the specification as originally filed. It should not be assumed that the claims amended herein were amended for reasons relating to patentability. All the above amendments are made in a good faith effort to advance the prosecution on the merits of this case.

III. Remarks Regarding Rejections Under 35 U.S.C. § 102(b)

A. Claims 77-86, 88, 107-112, 187-195, and 197-203

Claims 77-86, 88, 107-112, 187-195, and 197-203 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,532,052 to Weaver *et al.* ("*Weaver*"). With respect to these rejections, the Final Office Action states:

> The 35 U.S.C. 102(b) rejection of claims 77-86, 88, 107-112, 187-195, and 197-203 as anticipated by United States patent Number (USPN) 4,532,052 to Weaver et al. (hereinafter 'Weaver') has been maintained for reasons previously made of record in item 4 on page 3 of the Office Action mailed February 21, 2007 (hereinafter 'OA').

(Final Office Action at 2.) With respect to these rejections, the Office Action mailed on February 21, 2007 (the "Office Action") states:

Weaver discloses a method for fracturing or acidizing a subterranean formation to substantially alter the fluid flow (permeability) and/or surface characteristics of the formation, said method including injecting into the formation an aqueous composition that can alter the properties of organic/aqueous fluids, said composition containing a branched water-soluble organic polymer containing unit(s), having a molecular weight of 900 to 50,000,000, that can be hydrophilic, hydrophobic or a combination thereof, and can further include a gelling agent and/or a proppant. (Abstract; col. 5, lines 1-10 and 30-65; col. 6, lines 29-65; col. 7, lines 7-33; col. 9, lines 32-37 and 49-63; col. 20, line 65 to col. 21, line 6; col. 21, lines 49-63; col. 38, lines 37-51; col. 39, lines 24-36; *See also*, Table 6 on col. 53-54 disclosing data of aqueous fluid diverting and water permeability reduction properties for an aqueous fluid containing a methoxypolyethylene oxide branched polydimethylaminoethyl methacrylate copolymer, sand, silica flour and bentonite)

For example, an exemplary polymer disclosed in Weaver for treating subterranean oil producing formations has a cationic hydrophilic backbone modified with hydrophobic branches providing a desired hydrophobic-hydrophilic within the formation, thus altering the surface characteristic of the formation and the fluid flow or resistance to flow relative to a particular fluid, wherein the hydrophilic nature of the branched polymer serves as an aqueous gelling agent that provides for an increase in fluid viscosity. (Col. 5, lines 11-16; col. 6, lines 65 to col. 7, line 40; col. 7, line 63 to col. 8, line 21; col. 10, lines 56-59; Table on col. 9-10) In Tables 23-28, Weaver discloses data for examples of treating a well by injecting into the well an aqueous solution containing a cationic polymer with nonionic branches.

The water-soluble branched polymer can have, in its backbone chain and/or in its branch chain, one or more heteroatom or groups, such as nitrogen, oxygen, phosphorous, sulfur, sulfur groups, amide, carboxyamide and carbonyl. (Col. 14, lines 17-23 and 52-59) The polymer units in either chain can be -R-X-, wherein R is a C_1 to C_6 alkyl radical and X represents a heteroatom and are preferably capped. (Col. 19, lines 36-65) Particularly, branched polymers containing polyamine and polyether linkages in the branches are preferred for altering fluid flow properties in the formation and are especially effective and stable at temperatures above 177° C. (Col. 13, lines 1-18)

Among the monomers disclosed in Weaver that can be used to form the branched polymer include dimethylaminoethyl methacrylate, acrylic esters, acrylamide, epichlorohydrin and chloroprene; wherein the polymeric unit/group can be derived

from, e.g., saccharide or a derivative thereof (including cellulose and starch), vinyl, diallylic, amide or ether monomeric units, as long as it has the desired hydrophilic-hydrophobic property. (Col. 19, lines 7-10; col. 19, line 66 to col. 20, line 29; col. 22, lines 47-65) The vinyl or diene polymer units are represented by (Class 1, structure on col. 23); the amine type polymer units (Class III, structure on col. 24-25); the amide type polymer units (Class IV, structure on col. 25); whereas the saccharide and saccharide derivative units (Class V) are represented by the chemical structure depicted on col. 25-26, lines 43-59. (*See also*, the examples of class V on col. 35-36)

Weaver further discloses that a preferred class of polymers for altering aqueous fluid properties, such as altering water-oil ratio in a formation process and enhancing oil production, are polymers containing 2-hydroxylpropyl N,N dialkyl-amine as backbone units and acrylamide (organic acid derivative) and/or epichlorohydrin reacted polyalkoxide as the branch units. (Col. 42, lines 31-37) In Procedure O beginning on col. 50, line 5, Weaver discloses an example of altering the permeability of a formation surface (change in water-oil ratio) by injecting into the formation a copolymer of polydimethylaminoethyl methacrylate (PDMAEM having MW of 1 million) grafted with a polyethylene oxide branch (PEO, MVV of 15,000). The resulting data showing reduction in water permeability of the formation is shown in Tables 7 and 8. (*See also* Tables 10-13 on col. 57-59 for permeability data of an aqueous treating solution containing 1% of a hydrophilic PDMAEM polymer (MW of 600-800K) branched with a hydrophobic methoxy-polyethylene glycol epichlorohydrin (MPEO) adduct; particularly, polymer #7 of Table 10). In Tables 14-15 on col. 59, Weaver further discloses PDMAEM:PEO/MPEO weight ratios for the branched polymer ranging from 0.5:1.0 to 1.25 to 0.35.

Finally, regarding the limitation in independent claims 77 and 187 concerning the hydrophobically modified water-soluble polymer reducing the permeability of the subterranean formation to an aqueous-based fluid, Weaver discloses results demonstrating reduction in water permeability in the same examples containing the modified polymer discussed above (immediately preceding paragraph) in Tables 10-13 and 14-14 on col. 57-60. (*See, e.g.*, Sample #7 on Table 10, showing a reduction in water permeability of 85%)

Thus, the claims are anticipated by Weaver.

(Office Action at 3-6.) Applicants respectfully disagree with these rejections.

In order to form a basis for a rejection under 35 U.S.C. § 102(b), a prior art reference must disclose each and every element as set forth in the claim. MANUAL OF PATENT EXAMINING PROCEDURE ("MPEP") § 2131 (2006). "'The identical invention must be shown in as complete detail [in the prior art reference] as is contained in the claim.'" *Id.* However, *Weaver* does not disclose each element of Applicants' claims.

Firstly, *Weaver* does not disclose a hydrophobically modified water-soluble polymer that reduces the permeability of the subterranean formation to an aqueous-based fluid, as recited in independent claims 77 and 187. Rather, *Weaver* discloses that branched polymers containing a hydrophobic modifying portion function to increase water permeability. *See Weaver*, col. 7, lines 43-52. In relevant part, *Weaver* describes such branched polymers as follows:

> In yet another aspect of the invention, another class of polymers can be prepared which have some hydrophobic and/or oleophilic portions, branches or overall nature so that these polymers can be attached to formations or suspended within fluids in the formation to produce a surface effect on the particles or formation which retards the flow of organic fluids or hydrocarbon fluids and increases the permeability of the formation to aqueous fluids or would tend to gel hydrocarbon or organic based fluids.

(*Weaver* at col. 7, ll. 43-52 (emphasis added).) As such, *Weaver* discloses that the branched polymers containing the hydrophobic modifying portion increase the formation's permeability to aqueous fluids, and thus *Weaver* does not disclose a hydrophobically modified polymer that reduces the permeability of the subterranean formation to aqueous-based fluids, as generally recited in independent claims 77 and 187.

In further support of this conclusion, Applicants direct the examiner's attention to the table provided in column 10 of *Weaver* entitled "Characteristics of Branched Polymers." In this table, the branched polymers containing hydrophobic modifying portions are indicated as having the functionality of increasing water permeability. Applicants additionally note that this table also indicates that the branched polymers containing hydrophobic modifying portions are soluble in organic solvents rather than in aqueous fluids. This is in further contrast to Applicants' independent claims 77 and 187 which recite "a relative permeability modifier comprising an uncrosslinked hydrophobically modified water-soluble polymer." Accordingly, *Weaver* does not disclose a hydrophobically modified polymer that reduces the permeability of

the subterranean formation to aqueous-based fluids, as generally recited in independent claims 77 and 187.

In addition, to the extent that *Weaver* discloses the use of the branched polymers to reduce the flow of aqueous fluids, Applicants respectfully submit that *Weaver* does not disclose that the branched polymers containing the hydrophobic modifying portions function to reduce the flow of aqueous fluids. Rather, as discussed above, the only disclosure of the branched polymers containing hydrophobic modifying portions is for increasing the flow of aqueous fluids. With respect to reduced flow of aqueous fluids, *Weaver* consistently discloses that a branched polymer containing hydrophilic branching should reduce the formation's water permeability. *Weaver*, col. 10, lines 3-25; col. 15, lines 63-66; col. 19, lines 13-17. Indeed, *Weaver* describes a preferred branched polymer, as follows: "For one preferred class of polymers used to reduce the flow of water through earthen formations or to reduce the production of water in an oil well, the branched chain and overall polymer should be hydrophilic." *Id.* col. 10, lines 13-17. Even further, *Weaver* provides example data of a number of modified polymers showing water-permeability reduction. However, Applicants respectfully submit that *Weaver* is devoid of any such data showing water-permeability reduction with a branched polymer having hydrophobic branches. *See id.* col 50, line 25 to col. 69, line 30. *Weaver*, however, does provide extensive data showing the permeability reduction achieved utilizing a branched polymer having hydrophilic branches. *See, e.g., id.* col. 57, lines 1-45 (achieving 85% water-permeability reduction with a graft copolymer having a hydrophilic poly(dimethylaminoethyl methacrylate) backbone and hydrophilic methoxy-polyethylene glycol branches). Accordingly, *Weaver* does not disclose a hydrophobically modified polymer that reduces the permeability of the subterranean formation to aqueous-based fluids, as generally recited in independent claims 77 and 187.

In the Office Action, the Examiner improperly equated polymers containing 2-hydroxypropyl N,N dialkyl-amine as backbone units and acrylamide (organic acid derivative) or epichlorohydrin reacted with the claimed hydrophobically modified polymer. (*See* Office Action at ¶ 4.) Even more specifically, the Examiner improperly equated a polyethylene oxide (or glycol) branch and a methoxy-polyethylene oxide(or glycol) branch with a hydrophobic branch. *See id.* Examples of such graft polymers having methoxy-polyethylene glycol branches are provided as Sample 7 of Table 10 in *Weaver*. *See Weaver*, col .57, lines 1-43. Applicants

respectfully submit that such branches of polyethylene oxide (or glycol) are hydrophilic. Indeed, polyethylene oxide (or glycol) and methoxy-polyethylene oxide (or glycol) are clearly water soluble and hydrophilic. Accordingly, rather than being hydrophobic, the branches of PEO and methoxy-PEO contained in the branched polymers of *Weaver* are clearly hydrophilic branches. Therefore, the example data relied on by the Examiner does not disclose a hydrophobically modified polymer that reduces the permeability of the subterranean formation to aqueous based fluids, as generally recited in independent claims 77 and 187.

Secondly, *Weaver* does not disclose a hydrophobically modified polymer comprising a hydrophobic branch, wherein the hydrophobic branch comprises "an alkyl chain of about 4 to about 22 carbons," as recited in independent claims 77 and 187, as amended. Rather, *Weaver* describes preferred groups for the branch chains as polyalkylene imines and polyalkylene oxides with alkylene radicals of from about 1-3 carbon atoms. *See id.* col. 19, lines 10-13. Additional monomer units that can be used to form the branched chains include acrylamide, acrylate, vinyl alcohol vinyl ethers, hexose, ally alcohol, allyl amines, substitute derivatives thereof such as sulfonated acrylamide, as well as copolymers and combinations thereof. Whether or not any of these monomer units would form a hydrophobic branch, such monomers would not form a branch having an alkyl chain of about 4 to about 22 carbons, as recited in independent claims 77 and 187. For example, Sample No. 7 in Table 10 discloses a graft polymer of a polydimethylamineaminoethyl methacrylate grafted with a methoxy-polyethylene glycol epichlorohydrin adduct. *Weaver*, col. 57, lines 1-40. As described above, the methoxy-polyethylene glycol epichlorohydrin adduct of Polymer No. 7 is not a hydrophobic branch. Further, to the extent the Examiner equates Polymer No. 7 with the claimed hydrophobically modified polymers, Applicants note that it does not have an alkyl chain of about 4 to about 22 carbons, as is clearly evident from the structure provided in Table 10. *See id.* Therefore, *Weaver* does not disclose each and every element of independent claims 77 and 187.

Because *Weaver* does not disclose each element of claims 77 and 187, Applicants respectfully assert that *Weaver* cannot anticipate these claims, and claims 77 and 187 are allowable over *Weaver*. Moreover, since "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers," and since claims 78-86, 88, 107-112, 188-195, and 197-203 depend, either directly or indirectly, from independent claim 77 or 187, these dependent claims are allowable for at least the same reasons. *See* 35

U.S.C. § 112 ¶ 4 (2004). Accordingly, Applicants respectfully request the withdrawal of these rejections.

B. Claims 77-79, 81-88, 107-112, 187, 188, and 190-203

Claims 77-79, 81-88, 107-112, 187, 188, and 190-203 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,271,307 to Dickson et al. (hereinafter "*Dickson*"). With respect to these rejections, the Final Office Action states:

> Dickson discloses branched polyalkylene polyamines that are additives for treatments of subterranean formations (e.g., as demulsifiers or corrosion inhibitors), such as aqueous compositions useful in acidizing oil wells, said branched polyamines having a backbone base polyamine (or derivative thereof) hydrophilic polymer and an alkylene branch that can be, e.g., butylene (4 carbons) or other homologs, straight-chained or branched. (col. 1, lines 13-50; col. 2, line 16 to col. 3, line 5) These compounds can undergo acylation (to form, e.g., acrylate or methacrylate derivatives); can be reacted with an alkenyl succinic acid derivative (col. 3, lines 50-68; col. 5, lines 8-55; col. 6, lines 43-73); and/or can undergo alkylation/oxyalkylation (to form a hydrophobic branch) with, e.g., an alkylating agent, butylenes oxide or octylene oxide (col. 10, lines 1-16; col. 15, lines 56-66; col. 19, lines 25-59; col. 24, lines 39-53; Table II; Examples 1-3).
>
> Dickson also discloses that these branched compounds have numerous uses in processes involving water flooding in a subterranean formation and have several advantages, such as not forming precipitates, good anti-corrosion properties and having strong bactericidal action. (Col. 31, line 72 to col. 32, lines 39) These compounds are stable reagents even in the presence of acids and, thus, can be applied satisfactorily to wells that have been acidized with hydrochloric and hydrofluoric acid. (Col. 41, lines 9-20; col. 50, 52-63)
>
> In columns 38-43, Dickson further discloses an example whereby an aqueous treatment solution, having dispersed therein 5-25% by wt. of the aforementioned compounds, can be injected into a well that has been acidized to remove mud sheath from the interior of the well. (Col. 38, lines 48-63; col. 41, lines 10-20 and 50-75; Example on col. 42; claims 1-8) In another Example, Dickson discloses injecting the branched compounds in a treatment solution to fracture the formation. (Column 43-47) Aqueous formation treatment compositions containing these water-soluble branched polymer compounds can further include clays, weighting agents, gel-forming viscosifiers and/or stabilizers. (Col. 38, line 64 to col .39, line 11)

> Although Dickson may not explicitly disclose all the physical properties of the disclosed branched polymer compounds, or compositions comprising thereof, that re recited in the claims (such as modifying fluid permeability or diverting the treatment fluid to another subterranean zone), because the water-soluble branched polymers/compositions disclosed by Dickson are encompassed by the water-soluble branched polymers/compositions recited in the method of the instant claims, then they must inherently possess the same physical properties, such as its ability to modify the surface permeability of a subterranean formation and /or divert a treatment fluid upon their addition into an oil well.
>
> Thus, the instant claims are anticipated by Dickson.

(Final Office Action at 2-4.) Applicants respectfully disagree.

In order to form a basis for a rejection under 35 U.S.C. § 102(b), a prior art reference must disclose each and every element as set forth in the claim. MANUAL OF PATENT EXAMINING PROCEDURE ("MPEP") § 2131 (2006). Because *Dickson* does not disclose each and every element as set forth in the present claims, Applicants respectfully submit that *Dickson* does not anticipate the present claims.

Dickson fails to teach or suggest "an uncrosslinked hydrophobically modified water-soluble polymer that has a molecular weight in the range of about 100,000 to about 10,000,000" as recited in independent claims 77 and 187, as amended. Rather, *Dickson* teaches branched polyalkylene polyamines that have a molecular weight below the claimed range. *Dickson*, col. 2, line 16 to col. 3, line 5. For example, the branched polyalkylene polyamines of *Dickson* are expressed by the formulas in column 2. *Id.* In these formulas, the number of repeating units for the polyamine is limited to between 4 to 24. *Dickson*, col. 2, line 16 to col. 3, line 5. To the extent *Dickson* teaches increasing the molecular weight of these polymers, Applicants respectfully submit that *Dickson* does not disclose increasing the molecular weight of the disclosed polymers to achieve the claimed molecular weight of 100,000 to 10,000,000. Furthermore, *Dickson* teaches increasing the molecular weight through crosslinking two or more polyamino compounds. For example, *Dickson* states "the carbonyl reactant . . . may react intermolecularly so at to act as a bridging means between two or more polyamino compounds, thus increasing the molecular weight." *Id.* col. 29, lines 5-18. However, claims 77 and 187 require the hydrophobically modified polymer to be uncrosslinked. As such, *Dickson* does not disclose uncrosslinked hydrophobically modified water-soluble polymers with molecular weights in the claimed range of about 100,000 to about 1,000,000.

Therefore, Applicants respectfully assert that independent claims 77 and 187 are not anticipated by *Dickson*. Accordingly, Applicants respectfully request the withdrawal of these rejections. Moreover, claims 78-79, 81-88, 107-112, 188, and 190-203 depend, either directly or indirectly, from independent claims 77 and 187. All these dependent claims include all the limitations of the independent claims from which they depend on, and thus are allowable for at least the reasons cited above with respect to claims 77 and 18. *See* 35 U.S.C. § 112 ¶ 4 (2004). Accordingly, Applicants respectfully request the withdrawal of these rejections.

IV. Remarks Regarding Rejections Under 35 U.S.C. § 103(a)

Claims 83, 86-88, 192, and 195-197 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Weaver* in view of U.S. Patent No. 6,358,889 to Waggenspack *et al.* ("*Waggenspack*"). With respect to these rejections, the Final Office Action states:

> The 35 U.S.C. 103(a) rejection of claims 83, 86-88, 192 and 195-197 as unpatentable over Weaver in view of USPN 6,358,889 B2 to Waggenspack et al. (hereinafter 'Waggenspack') has been maintained for reasons previously made of record in item 6 on page 6 of OA.

(Final Office Action at 2.) With respect to these rejections, the Office Action states:

> Weaver was discussed above. Weaver discloses the hydrophobic branch attached to the backbone of the hydrophilic polymer to contain an ester or amide. However Weaver does not specifically disclose the hydrophobic branch to be a succinic acid derivative.
>
> On the other hand, Waggenspack teaches well drilling and servicing fluids that include an aqueous fluid containing a hydrophobically modified chitosan polymer (a glucosamine polysaccharide derivative), wherein said modified chitosan polymer is formed from the in-situ reaction of a chitosan polymer with an anhydride modifying compound, such as succinic anhydride, dodecynylsuccinic anhydride or any other alkenyl succinic anhydride having a C_2 to C_{20} alkenyl claim. (Abstract; col. 3, line 65 to col. 4, line 6; col. 5, lines 33-65; col. 14, lines 48-67; Example 1)
>
> Waggenspack further teaches that adding the modified chitosan water-soluble polymer increases the viscosity of the aqueous fracturing/servicing fluid, thus providing the fluid with enhanced low shear rate viscosity that is shear thinning. (Col. 1, lines 15-22 and 36-57; col. 3, lines 13-21)
>
> Therefore, it would have been obvious to a person of ordinary skill

> in the art at the time that the invention was made to use the modified chitosan copolymer taught in Waggenspack as the hydrophobically modified hydrophilic polymer injected in Weaver's method of acidizing a subterranean formation. It would have been obvious for one skilled in the art to do so to attain a more cost-effective method of acidizing by using a more viscous aqueous fluid having superior shear properties as taught by Waggenspack, and thus efficiently attain a desired level of surface permeability of the subterranean formation.
>
> Thus, the claims are unpatentable over Weaver and Waggenspack.

(Office Action at 6-7.) Applicants respectfully disagree with these rejections.

In order to form a basis for a § 103(a) rejection, a prior art reference or combination of prior art references must teach or suggest each element of the claim. MPEP § 2143. However, as discussed in Section III (A) above, *Weaver* does not teach or suggest a hydrophobically modified water-soluble polymer that reduces the permeability of the subterranean formation to an aqueous-based fluid, as recited in independent claims 77 and 187, nor does *Weaver* teach or suggest a hydrophobically modified polymer comprising a hydrophobic branch, wherein the hydrophobic branch comprises an alkyl chain of about 4 to about 22 carbons. Nor does *Waggenspack* teach or suggest these elements. Therefore, since neither *Weaver* nor *Waggenspack* teaches these elements of claims 77 and 187, that combination of references cannot obviate claims 77 and 187. Since claims 83, 86-88, 192, and 195-197 depend, either directly or indirectly, from claim 77 or 187, these dependent claims also incorporate these limitations that none of the references teach or suggest, and are thus similarly allowable. *See* 35 U.S.C. § 112 ¶ 4 (2004).

V. Remarks Regarding New Claims

Applicants respectfully submit that claims 204-220 are allowable. Claims 204 and 205 depend directly from independent claims 77 and 187, which Applicants have demonstrated are allowable in Sections III and IV above. These dependent claims contain all of the limitations of the independent claims they depend on, and thus are allowable for at least the same reasons. *See* 35 U.S.C. § 112 ¶ 4 (2004). Claim 206 recites the same limitations of claims 77 and 187 that Applicants have demonstrated in Section III that Weaver fails to disclose. Furthermore, claim 206 recites the limitation of wherein "the polar heteroatoms comprise at least one heteroatom selected from the group consisting of: oxygen, sulfur, and phosphorous." As clearly demonstrated in the structures provided in column 2 of *Dickson*, the polymers of *Dickson*

contain nitrogen in the backbone. *Dickson*, col. 2, lines 15-65. Accordingly, *Dickson* does not disclose a polymer containing the claimed polar heteroatoms within the polymer backbone. Moreover, claims 207-220 depend, either directly or indirectly, from independent claims 206. All these dependent claims include all the limitations of the independent claims from which they depend on, and thus are allowable for at least the reasons cited above with respect to independent claim 206. *See* 35 U.S.C. § 112 ¶ 4 (2004). Accordingly, Applicants respectfully request the timely issuance of a Notice of Allowance for these claims.

VI. No Waiver

All of Applicants' arguments and amendments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from the cited references. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements. The example distinctions discussed by Applicants are sufficient to overcome the outstanding rejections.

SUMMARY

In light of the above remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections. Applicants further submit that the application is now in condition for allowance, and earnestly solicit timely notice of the same. Because this response has been timely filed, Applicants respectfully request that the Examiner issue an advisory action if the Examiner does not find the claims to be allowable in light of the amendments and remarks made herein. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicants believe that no fees due in association with this filing. However, should the Commissioner deem that any additional fees are due the Commissioner is authorized to debit Baker Botts L.L.P. Deposit Account No. 02-0383, Order Number 063718.0321, for any underpayment of fees that may be due in association with this filing.

Respectfully submitted,

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